

## **CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 17**

**Citations Affected:** IC 6-1.1-21.8; IC 6-3.5.

**Synopsis:** Rainy day fund loans. Authorizes the state board of finance to make loans from the rainy day fund for the taxing units located in Porter County that will experience a budget shortfall as the result of the bankruptcy of a steel manufacturer located in the county. Provides that the loans must be repaid over a period not to exceed ten years. Provides that interest on a loan may not exceed the percent of increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers during the most recent 12 month period for which data is available as of the date of the loan application. Provides that interest may not be charged if a county income tax is adopted before a unit applies for a loan. Provides that interest on a loan ceases to accrue when the board receives notice from the county auditor that the county has adopted at least one of the county income taxes. Provides that not more than one-third of the total amount to be loaned may be disbursed at any particular time without the review of the budget committee and the approval of the budget agency. Provides for expedited distributions of county adjusted gross income taxes (CAGIT) or county economic development income taxes (CEDIT) in the first year following adoption by Porter County. Extends the deadline for imposition of CAGIT, CEDIT, or county option income in Porter County during 2002 from April 1 to May 15. (This conference committee report: (1) revises the language concerning the period for computation of the 12 month CPI average used to determine the maximum interest rate on loans; (2) deletes provisions that would permit local option income taxes adopted in Porter County to take effect on May 1 instead of July 1; (3) revises the procedures for expedited distributions of CAGIT and CEDIT in Porter County; and (4) adds the provision that extends the 2002 deadline for imposition of local option taxes in Porter County.)

**Effective:** Upon passage.

# CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 17 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, line 11, after "during the" insert "**most recent**".
- 2 Page 2, line 11, delete "months preceding" and insert "**month period**
- 3 **for which data is available as of**".
- 4 Page 4, delete lines 29 through 42.
- 5 Delete page 5.
- 6 Page 6, delete lines 1 through 2.
- 7 Page 6, delete lines 10 through 20, begin a new paragraph and insert:
- 8 "**(b) This subsection applies to a county having a population of**
- 9 **more than one hundred forty-five thousand (145,000) but less than**
- 10 **one hundred forty-eight thousand (148,000). Notwithstanding**
- 11 **section 9 of this chapter, the initial certified distribution certified**
- 12 **for a county under section 9 of this chapter shall be distributed to**
- 13 **the county treasurer from the account established for the county**
- 14 **under section 8 of this chapter according to the following schedule**
- 15 **during the eighteen (18) month period beginning on July 1 of the**
- 16 **year in which the county initially adopts an ordinance under**
- 17 **section 2 of this chapter:**
- 18 (1) **One-fourth (1/4) on October 1 of the year in which the**
- 19 **ordinance was adopted.**
- 20 (2) **One-fourth (1/4) on January 1 of the calendar year**
- 21 **following the year in which the ordinance was adopted.**

(3) One-fourth (1/4) on May 1 of the calendar year following the year in which the ordinance was adopted.

(4) One-fourth (1/4) on November 1 of the calendar year following the year in which the ordinance was adopted.

Notwithstanding section 11 of this chapter, the part of the certified distribution received under subdivision (1) that would otherwise be allocated to a civil taxing unit or school corporation as property tax replacement credits under section 11 of this chapter shall be set aside and treated for the calendar year when received by the civil taxing unit or school corporation as a levy excess subject to IC 6-1.1-18.5-17 or IC 6-1.1-19-1.7. Certified distributions made to the county treasurer for calendar years following the eighteen (18) month period described in this subsection shall be made as provided in subsection (a)."

Page 6, line 32, delete "The" and insert "Except as provided by subsection (b), the".

Page 6, delete lines 38 through 42.

Delete pages 7 through 10.

Page 11, delete lines 1 through 13.

Page 11, delete lines 21 through 31, begin a new paragraph and insert:

"(b) This subsection applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000). Notwithstanding section 11 of this chapter, the initial certified distribution certified for a county under section 11 of this chapter shall be distributed to the county treasurer from the account established for the county under section 10 of this chapter according to the following schedule during the eighteen (18) month period beginning on July 1 of the year in which the county initially adopts an ordinance under section 2 of this chapter:

(1) One-fourth (1/4) on October 1 of the year in which the ordinance was adopted.

(2) One-fourth (1/4) on January 1 of the calendar year following the year in which the ordinance was adopted.

(3) One-fourth (1/4) on May 1 of the calendar year following the year in which the ordinance was adopted.

(4) One-fourth (1/4) on November 1 of the calendar year following the year in which the ordinance was adopted.

The county auditor and county treasurer shall distribute amounts received under this subsection to a county and each city or town in the county in the same proportions as are set forth in section 12 of this chapter. Certified distributions made to the county treasurer for calendar years following the eighteen (18) month period described in this subsection shall be made as provided in subsection (a)."

Page 11, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000).

1       (b) Notwithstanding IC 6-3.5-1.1-2, IC 6-3.5-6-8, and  
2       IC 6-3.5-7-5, an ordinance to impose the county adjusted gross  
3       income tax, the county option income tax, or the county economic  
4       development income tax in the county may be adopted before May  
5       16, 2002.

6       (c) This SECTION expires December 31, 2002."

7       Renumber all SECTIONS consecutively.

(Reference is to ESB 17 as reprinted February 26, 2002.)

**Conference Committee Report**  
**on**  
**Engrossed Senate Bill 17**

**S**igned by:

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Senator Landske  
Chairperson

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Representative Cheney

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Senator Antich

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Representative Ayres

**Senate Conferees**

**House Conferees**